

MISSOURI ETHICS COMMISSION

1997 REPORT

This report is published pursuant to Section 130.056.1.(8) RSMo., which requires the publication of a compilation of amounts contributed and expended for the influencing of nominations and elections, and Section 105.955, RSMo, which requires the publication of a summary of the written opinions issued by the Missouri Ethics Commission. Accordingly, this report contains a compilation of the campaign finance reports filed with the Commission, and the written opinions issued by the Commission during the calendar year 1997. The individual campaign finance reports containing the specific data from which the information in this report was compiled are available for public review during regular business hours at the offices of the Missouri Ethics Commission. Additional information regarding campaign finance reporting requirements and written opinions of the Commission may also be obtained by contacting the Commission office.

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THE MISSOURI ETHICS COMMISSION

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A. Introduction

Because this document is a compilation of the amounts contributed and expended to influence nominations and elections pursuant to Chapter 130, RSMo, it can only include information that has been reported to the Missouri Ethics Commission by the committees and persons that are required by state statute to file such reports. It therefore does not

contain information concerning federal elections or local elections held in Missouri in 1997 for which there was no state reporting requirement.

Section 130.026 RSMo, defines under what circumstances the Missouri Ethics Commission functions as the appropriate election authority or officer for candidates, committees, and ballot measures, and therefore establishes who is to file campaign finance reports with the Commission. The Missouri Ethics Commission is the appropriate filing officer for: 1) candidates for statewide office; 2) statewide ballot measures; and 3) certain local elections as provided by statute. Therefore, campaign finance reports for these three types of events are to be filed with the Commission.

The Missouri Ethics Commission is not the appropriate election authority or officer for the receipt of campaign reports for the following elections: 1) city and county elected offices in cities and counties of less than 100,000 population; 2) school districts and other special districts' elected offices; and 3) ballot measure elections which are conducted on less than a statewide basis. Information concerning these elections and ballot measures are therefore not reported to the Commission and could not be included in this compilation. Information concerning those elections or committees that do not report to the Missouri Ethics Commission can be obtained through the local county clerk's office or local election authority.

U.S. Congressional and Presidential candidates file their reports with the Federal Elections Commission rather than the Missouri Ethics Commission. This document therefore does not contain information on federal candidates. However, copies of those reports are on file in the Commission's office.

The information contained in this document is based solely on the data supplied by candidates and committees in campaign finance disclosure reports filed with the Missouri Ethics Commission. Those disclosure reports are routinely audited, within the scope of authority granted to the Commission by statute. However, in this compilation, minor variations in the compiled numbers may occur due to mathematical rounding of the numbers.

B. Definitions

On the following pages the terms "receipts", "expenditures", and "contributions" are used. Provided below are definitions of each of these terms.

1. Receipts: The total of all contributions received and other receipts reported in support of or in opposition to a candidate or ballot measure for the election.
2. Expenditures: The total expenditures in support of the candidate(s) reported in support of or in opposition to a candidate or ballot measure for the election.
3. Contributions: The contributions made in support of or in opposition to other candidates, political parties, ballot issues, committees, or organizations reported for the election.

C. Compilation of Contributions and Expenditures

The year 1997 was an "off year" in the election cycle, which means that there were only municipal elections and no elections for statewide office. Several cities held elections for which the Missouri Ethics Commission receives reports. Those cities were Kansas City, Independence, Springfield and St. Louis. In Kansas City and Independence, there were elections for the office of city council. In the city of Springfield there were elections for the office of mayor and city council. In St. Louis, there were elections for the office of mayor, comptroller, and 15 alderman seats.

Kansas City 5th District City Council Election

The Kansas City special election for the 5th District City Council seat was held on January 7, 1997. This election was non-partisan. A total of five candidates filed for office. Those candidates were: Richard Cushon, Earl Pitts, Kelvin Simmons, Cynthia Vance, and Byther Williams. The compilation of their receipts, expenditures, and contributions are as follows.

<u>Candidate</u>	<u>Receipts</u>	<u>Expenditures</u>	<u>Contributions</u>
Richard Cushon	N/A ¹	Exemption ²	N/A ¹
Earl Pitts	N/A ¹	Exemption ²	N/A ¹
Kelvin Simmons	\$ 34,016	\$ 20,159	\$ 550
Cynthia Vance	N/A ¹	Exemption ²	N/A ¹
Byther Williams	\$ 2,738	\$ 2,738	\$ 0
Totals	\$ 36,754	\$ 22,897	\$ 550

¹ N/A is used to reflect the fact that under Missouri law, receipts and contributions are not required to be reported if an exemption statement has been properly filed with the Commission.

² Under Missouri law, a candidate can file an exemption statement affirming that he or she will spend less than \$1,000 per election. If an exemption statement is filed, a candidate is not required to report those expenditures under \$1,000.

The individual reports containing the information from which this compilation was made are available for review in the offices of the Missouri Ethics Commission.

Independence 3rd District City Council Election

1. Primary Election

The City of Independence primary election for the 3rd District City Council seat was held on February 4, 1997. This election was non-partisan. A total of four candidates filed for office. Those candidates were: Ann Conard, Al Van Iten, Patrick Wilson, and Lucy Young. The compilation of their receipts, expenditures, and contributions are as follows.

<u>Candidate</u>	<u>Receipts</u>	<u>Expenditures</u>	<u>Contributions</u>
Ann Conard	\$ 0	\$ 0	\$ 0
Al Van Iten	\$ 4,390	\$ 2,865	\$ 0
Patrick Wilson	\$ 100	\$ 83	\$ 0
Lucy Young	\$ 650	\$ 0	\$ 0
Totals	\$ 5,140	\$ 2,948	\$ 0

2. General Election

The general election in Independence was held on April 1, 1997. Two candidates were successful in the primary election and advanced to the general election. Those candidates were: Al Van Iten and Lucy Young. The receipts, expenditures, and contributions reported are as follows.

<u>Candidates</u>	<u>Receipts</u>	<u>Expenditures</u>	<u>Contributions</u>
Al Van Iten	\$ 5,255	\$ 5,079	\$ 250
Lucy Young	\$ 5,220	\$ 5,471	\$ 0
Totals	\$ 10,475	\$ 10,550	\$ 250

The cumulative totals for the Independence primary and general elections are as follows:

<u>Independence Election Grand Totals</u>	
Receipts	\$ 15,615
Expenditures	\$ 13,498
Contributions	\$ 250

The individual reports containing the information from which this compilation was made are available for review in the offices of the Missouri Ethics Commission.

Springfield Mayoral and City Council Election

1. Primary Election

The Springfield primary election for the offices of mayor and city council was held on February 4, 1997. This election was non-partisan. A total of fourteen candidates filed for office. However, if less than 3 candidates filed for an office, it was unnecessary under the city charter to have a primary election for that office. Because of this the two mayoral candidates, James Crooke and Lee Gannaway did not run in the primary. Two of the city council candidates, Virgil Hill and Bob Vanaman, also did not campaign during the primary election for the same reason. The remaining twelve candidates filed for the office of city council. Their receipts, expenditures, and contributions are as follows.

<u>Candidates</u>	<u>Receipts</u>	<u>Expenditures</u>	<u>Contributions</u>
Tom Carlson	N/A ¹	Exemption ²	N/A ¹
Wayne Dunard	N/A ¹	Exemption ²	N/A ¹
Gary Gibson	\$ 1,075	\$ 1,546	\$ 0
Randel Hanes	N/A ¹	Exemption ²	N/A ¹
Thomas Knapp	\$ 2,944	\$ 2,778	\$ 166
Richard Napieralski	N/A ¹	Exemption ²	N/A ¹
Mark Phelan	\$ 700	\$ 0	\$ 0
Russell Rhodes	N/A ¹	Exemption ²	N/A ¹
Mark Ringenberg	\$ 10,050	\$ 3,791	\$ 0
Wayne Scheer	\$ 12,025	\$ 4,403	\$ 0
Totals	\$ 26,794	\$ 12,518	\$ 166

¹ N/A is used to reflect the fact that under Missouri law, receipts and contributions are not required to be reported if an exemption statement has been properly filed with the Commission.

² Under Missouri law, a candidate can file an exemption statement affirming that he or she will spend less than \$1,000 per election. If an exemption statement is filed, a candidate is not required to report those expenditures under \$1,000.

2. General Election

The general election in Springfield was held on April 1, 1997. A total of ten candidates ran for election in the general election. The six candidates that were successful in the primary election and advanced to the general election were: Tom Carlson, Gary Gibson, Mark Phelan, Russell Rhodes, Mark Ringenberg and Wayne Scheer. In addition, the four candidates listed above that did not run in the primary election did run in the general election. Of these ten candidates, two candidates ran for the office of mayor. Those candidates were: James Crooke and Lee Gannaway. The remaining eight candidates sought the office of city council. The receipts, expenditures, and contributions reported are as follows.

<u>Candidates</u>	<u>Receipts</u>	<u>Expenditures</u>	<u>Contributions</u>
Tom Carlson	\$ 6,583	\$ 4,083	\$ 0
James Crooke (M)	\$ 6,663	\$ 6,597	\$ 0
Lee Gannaway (M)	\$ 27,915	\$ 19,582	\$ 0
Gary Gibson	\$ 11,447	\$ 11,637	\$ 0
Virgil Hill	\$ 4,298	\$ 2,953	\$ 0
Mark Phelan	\$ 2,246	\$ 2,246	\$ 0
Russell Rhodes	\$ 6,410	\$ 5,636	\$ 0
Mark Ringenberg	\$ 11,694	\$ 13,757	\$ 8,371
Wayne Scheer	\$ 16,770	\$ 24,392	\$ 0
Bob Vanaman	\$ 3,283	\$ 3,159	\$ 0
Totals	\$ 97,309	\$ 94,042	\$ 8,371

(M) Designates the mayoral candidates.

The cumulative totals for the Springfield primary and general elections are as follows.

<u>Springfield Election Grand Totals</u>	
Receipts	\$ 124,103
Expenditures	\$ 106,560
Contributions	\$ 8,537

The individual reports containing the information from which this compilation was made are available for review in the offices of the Missouri Ethics Commission.

St. Louis Mayoral, Comptroller and City Council Election

1. Primary Election

The St. Louis primary election for the office of mayor, comptroller, and alderman was held on March 4, 1997. A total of forty-four candidates filed for office. Six candidates filed for the office of mayor, 4 filed for the office of comptroller and 34 candidates filed for the office of aldermen. The six mayoral candidates were: Freeman Bosley Jr., Tom Braford, Jay Dearing, Bill Haas, Clarence Harmon, and Jim Rapp. The 4 comptroller candidates were: Z. Dwight Billingsly, Darlene Green, Dennis Hill and Joseph Schwan. The receipts, expenditures, and contributions reported are as follows.

<u>Candidates</u>	<u>Receipts</u>	<u>Expenditures</u>	<u>Contributions</u>
Martie Aboussie	\$ 8,119	\$ 1,767	\$ 350
Cecelia Andres	\$ 5,816	\$ 4,901	\$ 35
Velma Gene Bailey	\$ 9,294	\$ 10,814	\$ 0
Paul Mitchell Beckerle	\$ 0	\$ 0	\$ 0
Z. Dwight Billingsly (C)	\$ 0	\$ 0	\$ 0
Freeman Bosley Jr. (M)	\$ 1,194,641	\$ 1,233,082	\$ 912
Freeman Bosley Sr.	\$ 8,162	\$ 8,023	\$ 0
Tom Braford (M)	\$ 1,645	\$ 1,596	\$ 0
John Bratkowski	\$ 6,212	\$ 5,763	\$ 300
Gregory Carter	\$ 3,481	\$ 1,956	\$ 621
Jay Dearing (M)	\$ 4,920	\$ 2,239	\$ 3,010
Darlene Green (C)	\$ 53,180	\$ 36,299	\$ 0

April Ford Griffin	\$ 8,620	\$ 7,409	\$ 15
Daniel Gruen	\$ 9,937	\$ 9,890	\$ 50
Bill Haas (M)	\$ 2,880	\$ 2,451	\$ 0
Joe Hall	N/A ¹	Exemption ²	N/A ¹
Loretta Hall	\$ 12,221	\$ 11,410	\$ 0
Clarence Harmon (M)	\$ 640,504	\$ 662,146	\$ 6,069
Dennis Hill (C)	\$ 0	\$ 0	\$ 0
Ron Igou	\$ 1,562	\$ 1,008	\$ 0
Bennice Jones King	\$ 0	\$ 1,102	\$ 0
Jimmie Matthews	N/A ¹	Exemption ²	N/A ¹
Parrie May	\$ 1,350	\$ 1,250	\$ 0
Steven McCauley	\$ 1,364	\$ 599	\$ 0
Michael McMillan	\$ 25,285	\$ 18,561	\$ 250
Miguel Mitchell	\$ 120	\$ 735	\$ 230
Maurice Rackley	N/A ¹	Exemption ²	N/A ¹
Jim Rapp (M)	\$ 3,953	\$ 3,578	\$ 0
P J Robinson	N/A ¹	Exemption ²	N/A ¹
Joseph Roddy	\$ 21,470	\$ 8,781	\$ 0
Joseph Schwan (C)	N/A ¹	Exemption ²	N/A ¹
Joseph Simmons	\$ 1,077	\$ 973	\$ 126
Irene Smith	\$ 6,765	\$ 5,766	\$ 250
James Sondermann	\$ 12,021	\$ 5,728	\$ 25
Eugene Marvin Starr	N/A ¹	Exemption ²	N/A ¹
Noel Stasiak	\$ 650	\$ 731	\$ 0
Joseph Vaccaro	\$ 2,556	\$ 1,488	\$ 0
Matthew Villa	\$ 575	\$ 5,317	\$ 0
Margaret Vining	\$ 6,534	\$ 3,656	\$ 25
Bill Waggoner	\$ 4,584	\$ 4,161	\$ 0
John Washington	\$ 1,423	\$ 1,400	\$ 968
Alfred Wessels Jr.	\$ 470	\$ 1,155	\$ 400
Joan Westhouse	N/A ¹	Exemption ²	N/A ¹
Phyllis Young	\$ 7,310	\$ 4,509	\$ 515
Totals	\$ 2,068,701	\$ 2,070,244	\$ 14,151

¹ N/A is used to reflect the fact that under Missouri law, receipts and contributions are not required to be reported if an exemption statement has been properly filed with the Commission.

² Under Missouri law, a candidate can file an exemption statement affirming that he or she will spend less than \$1,000 per election. If an exemption statement is filed, a candidate is not required to report those expenditures under \$1,000.

(M) Designates the mayoral candidates.

(C) Designates the comptroller candidates.

Receipts, expenditures, and contributions by office sought are as follows.

<u>Office Sought</u>	<u>Receipts</u>	<u>Expenditures</u>	<u>Contributions</u>
Mayor	\$ 1,848,543	\$ 1,905,092	\$ 9,991

Comptroller	\$ 53,180	\$ 36,299	\$ 0
Alderman	\$ 166,978	\$ 128,853	\$ 4,160
Totals	\$ 2,068,701	\$ 2,070,244	\$ 14,151

Receipts, expenditures, and contributions by political party are as follows.

<u>Party</u>	<u>Receipts</u>	<u>Expenditures</u>	<u>Contributions</u>
Democrats (36)	\$ 2,056,819	\$ 2,062,232	\$ 11,141
Republicans (8)	\$ 11,882	\$ 8,012	\$ 3,010
Totals	\$ 2,068,701	\$ 2,070,244	\$ 14,151

2. General Election

The St. Louis general election was held on April 1, 1997. Twenty-four candidates were successful in the primary election and ran in the general election. Two successful primary candidates ran for the office of mayor, as well as one Independent candidate. The mayoral candidates were: Jay Dearing, Clarence Harmon and Marit Clark. Two successful primary candidates ran for the office of comptroller. They were Z. Dwight Billingsly and Darlene Green. The remaining candidates ran for the office of alderman. The receipts, expenditures, and contributions reported are as follows.

<u>Candidate</u>	<u>Receipts</u>	<u>Expenditures</u>	<u>Contributions</u>
Martie Aboussie	\$ 739	\$ 11,618	\$ 450
Paul Michael Beckerle	\$ 1,950	\$ 1,798	\$ 50
Z. Dwight Billingsly (C)	\$ 20,199	\$ 23,026	\$ 50
Freeman Bosley Sr.	\$ 950	\$ 1,100	\$ 0
Gregory Carter>	\$ 450	\$ 934	\$ 0
Marit Clark (M)	\$ 56,566	\$ 109,501	\$ 10,705
Jay Dearing (M)	\$ 6,711	\$ 7,392	\$ 0
Bruce Gander	N/A ¹	Exemption ²	N/A ¹
Darlene Green (C)	\$108,284	\$ 108,052	\$ 19,175
April Ford Griffin	\$ 0	\$ 0	\$ 0
Clarence Harmon (M)	\$ 238,411	\$ 318,485	\$ 2,355
Bennice Jones King	\$ 100	\$ 381	\$ 0
Steven McCauley	\$ 1,076	\$ 1,841	\$ 0
Michael McMillan	\$ 11,115	\$ 20,375	\$ 205
Miguel Mitchell	\$ 0	\$ 0	\$ 0
Joseph Roddy	\$ 8,382	\$ 1,198	\$ 4,225
Donnell Smith	\$ 2,989	\$ 1,814	\$ 0
James Sondermann	\$ 1,287	\$ 3,630	\$ 0
Matthew Villa	\$ 14,052	\$ 12,502	\$ 0
Margaret Vining	\$ 1,350	\$ 1,600	\$ 2,600
Alfred Wessels Jr.	\$ 3,717	\$ 2,396	\$ 1,355
Joan Westhouse	N/A ¹	Exemption ²	N/A ¹
Esther Lee Yeager	N/A ¹	Exemption ²	N/A ¹
Phyllis Young	\$ 2,015	\$ 9,490	\$ 463
Totals	\$ 480,343	\$ 637,133	\$ 41,633

¹ N/A is used to reflect the fact that under Missouri law, receipts and contributions are not required to be reported if an exemption statement has been properly filed with the Commission.

² Under Missouri law, a candidate can file an exemption statement affirming that he or she will spend less than \$1,000 per election. If an exemption statement is filed, a candidate is not required to report those expenditures under \$1,000.

(M) Designates the mayoral candidates.

(C) Designates the comptroller candidates.

Receipts, expenditures and contributions by office sought are as follows.

<u>Office Sought</u>	<u>Receipts</u>	<u>Expenditures</u>	<u>Contributions</u>
Mayor	\$ 245,122	\$ 325,877	\$ 2,355
Comptroller	\$ 128,483	\$ 131,078	\$ 19,255
Alderman	\$ 106,738	\$ 180,178	\$ 20,053
Totals	\$ 480,343	\$ 637,133	\$ 41,633

Receipts, expenditures, and contributions by political party are as follows.

<u>Party</u>	<u>Receipts</u>	<u>Expenditures</u>	<u>Contributions</u>
Democrats (16)	\$ 392,802	\$ 493,559	\$ 30,878
Republicans (4)	\$ 27,986	\$ 32,259	\$ 50
Independents (4)	\$ 59,555	\$ 111,315	\$ 10,750
Totals	\$ 480,343	\$ 637,133	\$ 41,633

The cumulative totals for the St. Louis primary and general elections by office sought are as follows.

<u>St. Louis Election Grand Totals</u>			
<u>Office Sought</u>	<u>Receipts</u>	<u>Expenditures</u>	<u>Contributions</u>
Mayor	\$ 2,093,665	\$ 2,230,969	\$ 12,346
Comptroller	\$ 181,663	\$ 167,377	\$ 19,225
Alderman	\$ 273,716	\$ 309,031	\$ 24,213
Totals	\$ 2,549,044	\$ 2,707,377	\$ 55,784

The individual reports containing the information from which this compilation was made are available for review in the offices of the Missouri Ethics Commission.

Special Elections

1. On March 4, 1997, a special election was held to fill the vacancy of State Representative in the 1st District. Two candidates ran for that office: Karl Demarce and David Lomax. The compilation of their receipts, expenditures and contributions are as follows.

<u>Candidate</u>	<u>Receipts</u>	<u>Expenditures</u>	<u>Contributions</u>
Karl Demarce	\$ 26,329	\$ 19,058	\$ 250
David Lomax	\$ 3,656	\$ 3,656	\$ 0
Totals	\$ 29,985	\$ 22,714	\$ 250

2. On April 1, 1997, a special election was held to fill the vacancy of State Representative in the 162nd District. Two

candidates ran for the office: Shirley Kay Davis and Denny Merideth. The compilation of their receipts, expenditures and contributions are as follows.

<u>Candidate</u>	<u>Receipts</u>	<u>Expenditures</u>	<u>Contributions</u>
Shirley Kay Davis	\$ 15,480	\$ 15,480	\$ 0
Denny Merideth	\$ 33,972	\$ 29,908	\$ 0
Totals	\$ 49,452	\$ 45,388	\$ 0

3. On August 5, 1997, a special election was held to fill the vacancy of St. Louis County Council in the 3rd District. Two candidates ran for the office: Edith Cunnane and Richard Wolkowitz. The compilation of their receipts, expenditures and contributions are as follows.

<u>Candidate</u>	<u>Receipts</u>	<u>Expenditures</u>	<u>Contributions</u>
Edith Cunnane	\$ 122,769	\$ 122,870	\$ 3,026
Richard Wolkowitz	\$ 343,791	\$ 348,564	\$ 0
Totals	\$ 466,560	\$ 471,434	\$ 3,026

4. On August 19, 1997, a special election was held to fill the vacancy of State Representative in the 64th District. Three candidates ran for the office: Robert Hilgemann, Mike Pranka, and Frank Rathbone. The compilation of their receipts, expenditures and contributions are as follows.

<u>Candidate</u>	<u>Receipts</u>	<u>Expenditures</u>	<u>Contributions</u>
Robert Hilgemann	\$ 19,695	\$ 7,916	\$ 3,143
Mike Pranka	N/A ¹	Exemption ²	N/A ¹
Frank Rathbone	\$ 4,335	\$ 3,927	\$ 0
Totals	\$ 24,030	\$ 11,843	\$ 3,143

¹ N/A is used to reflect the fact that under Missouri law, receipts and contributions are not required to be reported if an exemption statement has been properly filed with the Commission.

² Under Missouri law, a candidate can file an exemption statement affirming that he or she will spend less than \$1,000 per election. If an exemption statement is filed, a candidate is not required to report those expenditures under \$1,000.

5. On August 19, 1997, a special election was held to fill the vacancy of State Representative in the 72nd District. Three candidates ran for the office: Frank Singer III, Betty Thompson and Pamela Wright. The compilation of their receipts, expenditures and contributions are as follows.

<u>Candidate</u>	<u>Receipts</u>	<u>Expenditures</u>	<u>Contributions</u>
Frank Singer III	N/A ¹	Exemption ²	N/A ¹
Betty Thompson	\$ 23,998	\$ 21,799	\$ 0
Pamela Wright	\$ 6,200	\$ 4,760	\$ 100
Totals	\$ 30,198	\$ 26,559	\$ 100

¹ N/A is used to reflect the fact that under Missouri law, receipts and contributions are not required to be reported if an exemption statement has been properly filed with the Commission.

² Under Missouri law, a candidate can file an exemption statement affirming that he or she will spend less than \$1,000 per election. If an exemption statement is filed, a candidate is not required to report those expenditures under \$1,000.

6. On November 4, 1997, a special election was held to fill the vacancy of State Representative in the 3rd District. Two candidates ran for the office: David Klindt and Leo Whitaker. The compilation of their receipts, expenditures and contributions are as follows.

<u>Candidate</u>	<u>Receipts</u>	<u>Expenditures</u>	<u>Contributions</u>
David Klindt	\$ 37,848	\$ 35,897	\$ 0
Leo Whitaker	\$ 53,197	\$ 48,635	\$ 0
Totals	\$ 91,045	\$ 84,532	\$ 0

7. On December 9, 1997, a special election was held to fill the vacancy of Alderman in the 28th Ward in the City of St. Louis. Five candidates ran for the office: Z. Dwight Billingsly, Lyda Krewson, Joyce Littlefield, Debra Buck Loveless, and Leata Price. The compilation of their receipts, expenditures and contributions are as follows.

<u>Candidate</u>	<u>Receipts</u>	<u>Expenditures</u>	<u>Contributions</u>
Z. Dwight Billingsly	\$ 9,881	\$ 9,687	\$ 0
Lyda Krewson	\$ 58,535	\$ 38,140	\$ 0
Joyce Littlefield	\$ 9,301	\$ 9,246	\$ 100
Debra Buck Loveless	\$ 4,367	\$ 745	\$ 0
Leata Price	\$ 4,930	\$ 3,702	\$ 0
Totals	\$ 87,014	\$ 61,520	\$ 100

The individual reports containing the information from which this compilation was made are available for review in the offices of the Missouri Ethics Commission.

During the calendar year 1997, 510 continuing committees (including political action committees or PAC's) reported receipts in excess of \$6.8 million to support current candidates and to prepare for the 1998 elections. Those same committees reported expenditures in excess of \$2.8 million and reported contributions made in excess of \$2.4 million. One hundred fifty-three (153) Political Party Committee's reported receipts of \$1.5 million and expenditures in excess of \$1.1 million.

510 Continuing Committees

Receipts	\$ 6,879,382
Expenditures	\$ 2,823,894
Contributions	\$ 2,439,469

153 Political Parties

Receipts	\$ 1,566,452
Expenditures	\$ 1,170,255
Contributions	\$ 113,136

The individual reports containing the information from which this compilation was made are available for review in the offices of the Missouri Ethics Commission.

1997 ADVISORY OPINIONS

The following pages contain summaries of the advisory opinions issued by the Missouri Ethics Commission in 1997. The opinions issued by the Commission have been divided into topics based on general subject matter. These topics are lobbying, campaign finance disclosure, conflict of interest, and personal financial disclosure. For additional information on any of the opinions contact the office of the Missouri Ethics Commission.

Lobbying

<u>Opinion Number</u>	<u>Opinion Summary</u>
97.01.106—1	No violation of law exists for lobbyist and elected official to participate in multilevel market company; however, parties must be aware of reporting requirements and possible conflicts of interest.
97.04.111—2	No conflict with statutes for wife to be contract lobbyist seeking feasibility study with Division of Comprehensive Psychiatric Services, while husband is employed as Assistant Superintendent at State Hospital.
97.07.112—3	Penalties for failure to report are contained in Statute; err on side of reporting; MEC will opine on specific reporting requirements associated with elected official's capacity when requested.
97.10.113--4	Attorney, who limits activities to legal representation of clients before Administrative agencies, is not necessarily exempt from lobbyist registration requirements; individual must determine if he falls within the statutory definition of lobbyist.

Campaign Finance Disclosure

<u>Opinion Number</u>	<u>Opinion Summary</u>
97.01.103—1	No statutory prohibition exists to preclude contributions to legislators during session.
97.01.104—2	Checks which were lost prior to reporting cannot be added to previous election totals, but must be applied to next election.
97.06.105—3	Candidate may only have one candidate committee per office sought; therefore candidate cannot also have committee which accepts contributions towards past debt.
97.11.106—4	Establishment of multiple continuing committees is not, in and of itself, violation of Chapter 130; contributions permitted from one committee to another.
97.11.107—5	Defense costs in recall petition not "ordinary and necessary expense" and, therefore, not permitted use of contribution.

Conflict of Interest

<u>Opinion Number</u>	<u>Opinion Summary</u>
97.01.101—2	Member of school board may also hold position as county treasurer.
97.01.105—3	Reserve deputy sheriff may also hold position as county coroner.
97.01.108—4	Attorney, who is also legislator, may not receive fees paid from state funds.

- 97.01.109—5 No conflict exists for Superintendent of schools to also serve on community bank board.
- 97.01.110—6 Member of school board may also hold position as county commissioner.
- 97.04.111—7 No conflict with statutes for wife to be contract lobbyist seeking feasibility study with Division of Comprehensive Psychiatric Services, while husband is employed as Assistant Superintendent at State Hospital.
- 97.06.112—8 Representative may serve on not-for-profit board so long as he does not vote on measure which gives preferential treatment.
- 97.06.113—9 Spouse of newly elected mayor may continue to serve on planning & zoning commission; however, mayor (spouse) may not re-appoint.
- 97.07.114—10 Former committee member could complete applications and documents for certificate of need applications; however, any attempt to influence would be considered a violation.
- 97.07.115—11 No conflict exists for legislator, who is also attorney, to represent party in adversary proceeding before MO Gaming Commission.
- 97.07.116—12 Former Chief of Staff for mayor may not influence decisions of city council members prior to one year after leaving office.
- 97.07.117—13 Mayor's family may sell real property at auction where city may bid provided mayor does not participate in any discussion or vote relating to city's purchase.
- 97.10.118—14 No conflict exists for Conservation Commission member to also hold position on Conservation Federation board; however individual cannot vote on any measure that gives preferential treatment.
- 97.10.119--15 Individual may provide technical assistance to political subdivisions in the completion of paperwork; however individual cannot attempt to influence department for one year after leaving employment.
- 97.10.120--16 State employee may work for not-for-profit agency provided he complies with Sections 105.452 and 105.454 and abstains from participating in the decision-making regarding future contracts with agency.
- 97.11.121—17 Council member cannot vote on any matter that provided "special monetary benefit" to the member, spouse or dependent children.
- 97.11.122—18 Spouse of union president, who is also district director, may not participate in contract negotiations; however district director may vote on contract provided it does not give "special monetary benefit".

Personal Financial Disclosure

- | <u>Opinion Number</u> | <u>Opinion Summary</u> |
|-----------------------|--|
| 97.01.102—1 | Members of State Historical Records Advisory Board serve only in advisory capacity and therefore are not subject to filing requirements of Section 105.483 RSMo. |
| 97.01.107—2 | Phrase "and is designated by one of the following officials or entities as a decision-making public servant" modifies categories in Section 105.450(6); political subdivision must determine who has responsibility for supervisory authority over negotiation of contracts. |

- 97.06.108—3 Requirement to file personal financial disclosure statement rests on the authority to contract not actual exercise of that authority.
- 97.11.109--4 Election authority has statutory obligation to remove candidate from ballot for failure to file timely financial interest statement.